APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,513	02/04/2005	Peter Dolling	2002P09934WOUS	1286

7590 10/24/2006	EXAMINER
Siemens Corporation	NORTON, JENNIFER L
Intellectual Property Department	

ART UNIT	PAPER NUMBER
2121	

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

DATE MAILED: 10/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/523,513	DOLLING ET AL.
	Examiner	Art Unit	
	Jennifer L. Norton	2121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>04 February 2005</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>15-33</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>15-33</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>04 February 2005</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some *   c) ☐ None of:

      1. ☒ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date ℤ/4/05

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 15-33 are pending.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3.   Claims 15, 19-26 and 29-32 recite the following limitations:

a.   Claim 15 recites "the sub-tasks and work steps" in line 7.

b.   Claims 19-21 recite "the elements" in line 1 and "the form of alphanumeric display" in line 2.

c.   Claims 22-24 recite "the elements" in line 1.

d.   Claim 25 recites "the required work step" in line 1 and "said work step" in line 2.

e.   Claim 26 recites "the alphanumeric display" in line 2, "the selected work step" in lines 2-3 and 3-4, and "the alphanumeric and graphic display" in line 3.

f.   Claim 29 recites "the current display" in lines 2-3, "the window" in line 3 "the inputting of parameters" in lines 3-4.

g.   Claim 30 recites "the status indicators" in line 2.

h.   Claim 31 recites "the data selection" in line 2.

i.   Claim 32 recites "the sub-task and work steps" in line 5, "the selected

work step" in lines 9 and 11.

There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   Claims 15, 19, 22 and 25-33 are rejected under 35 U.S.C. 102(b) as being

anticipated by U.S. Patent No. 5,631,825 (hereinafter Van Weele).

6.   As per claim 15, Van Weele discloses a tool for configuring, designing, or

programming, the tool comprising:

     a storage unit for storing a control program (col. 18, lines 34-40);

     an operating unit for inputting operator commands (col. 17, lines 59-67 and col.

18, lines 1-2);

     a computer (col. 17, lines 59-67, col. 18, lines 1-2 and Fig. 1, element 20); and

     a display (Fig. 3, element 26) for displaying a graphic user interface having a first

navigation area (Fig. 3, element 36), a second navigation area (Fig. 3, element 38), and

a data area (Fig. 3, element 40 and col. 32, lines 17-31), wherein the first navigation

area (Fig. 3, element 36) is an area, in which the sub-tasks and work steps associated

with a project can be displayed in a hierarchically organized manner (col. 5, lines 58-67,

col. 7, lines 58-67, col. 11, lines 41-52 and col. 34, lines 36-45), wherein the second

navigation area (Fig. 3, element 38) is an area, in which individual work steps

associated with the project can be displayed in their processing sequence (col. 2, lines

1-17, col. 5, lines 67, col. 6, lines 1-4 and col. 7, lines 34-37 and 43-44), and wherein a

required work step can be selected (col. 11, lines 5-8 and 14-18) in the first navigation

area (col. 23, lines 21-26 and col. 34, lines 27-31) and/or in the second navigation area

(col. 7, lines 11-15 and col. 34, lines 31-35).

7.   As per claim 19, Van Weele discloses the elements displayed in the first

navigation area are displayed in the form of an alphanumeric display (col. 23, lines 40-

43).

8.   As per claim 22, Van Weele discloses the elements displayed in the second

navigation area are each displayed in alphanumeric and graphic form (col. 7, lines 4-9).

9.   As per claim 25, Van Weele discloses once the required work step has been

selected, data associated with said work step is displayed in the data area (col. 13, lines

61-67).

10.   As per claim 26, Van Weele discloses once the required work step has been

selected, the alphanumeric display in the first navigation area corresponding to the

selected work step and the alphanumeric and graphic display in the second navigation

area corresponding to the selected work step are visually marked (col. 13, lines 67 and

col. 14, lines 1-4).

11.   As per claim 27, Van Weele discloses the tool is adapted for configuring,

designing, or programming an installation or technical composition (col. 14, lines 39-41,

col. 30, lines 56-67, col. 31, lines 1-34 and Fig. 33).

12.   As per claim 28, Van Weele discloses the data displayed in the data area is

displayed to the form of a list containing selectable list elements (col. 13, lines 30-47).

13.   As per claim 29, Van Weele discloses a button is assigned to each selectable list

element, which can be clicked on to superimpose a window corresponding to an

assistant on the current display, the window containing help information or prompting

the inputting of parameters (col. 13, lines 48-60).

14.   As per claim 30, Van Weele discloses status indicators are provided in each of

the navigation areas, the status indicators containing information about whether or not

a work step has already been completed (col. 7, lines 11-24).

15.   As per claim 31, Van Weele discloses the status indicators further contain

information about whether or not the data selection made in a work step has resulted in

a non-permitted status (col. 7, lines 11-24).

16.   As per claim 32, Van Weele discloses a method for configuring, designing,

and/or programming an installation, the method comprising:

providing a graphic user interface displayed on a display (col. 17, lines 59-67,

col. 18, lines 1-2 and Fig. 3, element 26), the graphic user interface having at least two

navigation areas (Fig. 3, element 36 and 38) and a data area (Fig. 3, element 40),

wherein a first navigation area (Fig. 3, element 36) being an area in which the

sub-tasks and work steps associated with a project can be displayed in a hierarchically

organized manner (col. 5, lines 58-67, col. 7, lines 58-67, col. 11, lines 41-52 and col.

34. lines 36-45) and wherein a second navigation area (Fig. 3, element 38) being an

area in which individual work steps are displayed in their processing sequence (col. 2,

lines 1-17, col. 5, lines 67, col. 6, lines 1-4 and col. 7, lines 34-37 and 43-44);

selecting a work step (col. 11, lines 5-8 and 14-18) by navigating in the first (col.

23, lines 21-26 and col. 34, lines 27-31) or in the second navigation area (col. 7, lines

11-15 and col. 34, lines 31-35);

visually marking display elements associated with the selected work step in the

first and in the second navigation area (col. 13, line 67 and col. 14, lines 1-4); and

displaying data associated with the selected work step in the data area (col. 32,

lines 17-31).

17.   As per claim 33, Van Weele discloses a digital storage medium comprising a

control program adapted for interacting with a computer, an operator unit, and a

display for performing the method as set forth in claim 32 (col. 18, lines 34-40).

Claim Rejections - 35 USC § 103

18.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

19.   Claims 16-18, 20, 21, 23 and 24 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Van Weele in view of U.S. Patent Publication No. 2003/0172371

(hereinafter Offenmuller).

20.   As per claim 16, Van Weele does not expressly teach the first navigation area is

an area with a tree structure.

Offenmuller teaches to a first navigation area is an area with a tree structure

(pg. 5, par. [0062] and Fig. 3 and 5, element BB1).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time of applicant's invention to modify the teaching of Van Weele to include a first

navigation area is an area with a tree structure to provide the advantage of operating

and/or observing an industrial process and/or work cycles and/or an industrial

automation system (pg. 2, par. [0017]) and to provide a split display apparatus to

increase the usability and flexibility of the system for the user (pg. 2, par. [0021]).

21.   As per claim 17, Van Weele teaches the first navigation area provides an

overview of the project (col. 7, lines 41-50 and 58-67).

Van Weele does not expressly teach the first navigation area provides a tree

structure (col. 7, lines 41-50 and 58-67).

Offenmuller teaches to a first navigation area is an area with a tree structure

(pg. 5, par. [0062] and Fig. 3 and 5, element BB1).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teaching of Van Weele to include a first navigation area is an area with a tree structure to provide the advantage of operating and/or observing an industrial process and/or work cycles and/or an industrial automation system (pg. 2, par. [0017]) and to provide a split display apparatus to increase the usability and flexibility of the system for the user (pg. 2, par. [0021]).

22.   As per claim 18, Van Weele teaches the first navigation area provides an overview of the project (col. 7, lines 41-50 and 58-67).

Van Weele does not expressly teach the first navigation area provides a tree structure.

Offenmuller teaches to a first navigation area is an area with a tree structure (pg. 5, par. [0062] and Fig. 3 and 5, element BB1).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teaching of Van Weele to include a first navigation area is an area with a tree structure to provide the advantage of operating

and/or observing an industrial process and/or work cycles and/or an industrial

automation system (pg. 2, par. [0017]) and to provide a split display apparatus to

increase the usability and flexibility of the system for the user (pg. 2, par. [0021]).

23.   As per claim 20, Van Weele teaches as set forth above the elements displayed in

the first navigation area are displayed in the form of an alphanumeric display (col. 23,

lines 40-43).

24.   As per claim 21, Van Weele teaches as set forth above the elements displayed in

the first navigation area are displayed in the form of an alphanumeric display (col. 23,

lines 40-43).

25.   As per claim 23, Van Weele teaches as set forth above the elements displayed in

the second navigation area are each displayed in alphanumeric and graphic form (col.

7, lines 4-9).

26.   As per claim 24, Van Weele teaches as set forth above the elements displayed in

the second navigation area are each displayed in alphanumeric and graphic form (col.

7, lines 4-9).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art with respect graphical user interfaces.

U.S. Patent Publication No. 2005/0010871 discloses a user interface in the form of a single navigable window.

U.S. Patent No. 6,496,208 discloses a method and apparatus for displaying and navigating data organized in the form of a graphic structure.

U.S. Patent No. 5,971,581 discloses a system and method for creating a fieldbus configuration on a computer system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer L. Norton whose telephone number is 571-272-3694. The examiner can normally be reached on 8:00 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 571-272-3687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Anthony Knight
Supervisory Patent Examiner
Art Unit 2121